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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,681	06/30/2003	Joseph K. O'Sullivan	16113-1305001 / GP-117-02	5339
26192 7590 01/07/2009 FISH & RICHARDSON P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER SAFAIPOUR, HOUSHANG	
			ART UNIT 2625	PAPER NUMBER
			NOTIFICATION DATE 01/07/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

Office Action Summary	Application No. 10/611,681	Applicant(s) O'SULLIVAN ET AL.	
	Examiner HOUSHANG SAFAIPOUR	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-25,44-53 and 57-74 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 16-21,44-49,51,57-61,63,66-70 and 72 is/are rejected.
- 7) ☒ Claim(s) 22-25,50,52,53,62,64,65,71,73 and 74 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 16-21, 44-49, 51, 57-61, 63, 66-70 and 72 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoda (US 5,185,821).

Regarding claims 16 and 44 Yoda discloses an imaging system, comprising:

an optical character recognition engine (character recognition section 22) for receiving at least a portion of image data, the OCR engine configured to perform OCR processing only on data corresponding to at least a portion of a border region (predetermined area) of each imaged page (col. 3, lines 16-30); and

a controller in communication with the OCR engine and configured to receive data from the OCR engine to determine page numbers on the pages being imaged based at least in part on the data received from the OCR engine, the controller being further configured to detect an error based on comparing the page numbers of consecutive pages (col. 4, lines 1-35), (col. 4 line 63 to col. 5 line 46), (col. 6 lines 6-23) and (col. 6 lines 48-59).

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Regarding claim 17, Yoda discloses the imaging system of claim 16, wherein the controller is further configured to detect an error when the controller fails to detect page numbers on a predetermined number of consecutive pages of the document (col. 6, lines 6-22).

Regarding claim 18, Yoda discloses the imaging system of claim 16, wherein the controller is further configured to track the sequence of the page numbers of the images captured and to detect an error based on the sequence of the page numbers (col. 6, lines 6-22).

Regarding claims 19, 45 and 59, Yoda discloses the imaging system of claim 16, wherein the border region is selected from the group consisting of a border region around an entire perimeter of the imaged page and a border region around a portion of the perimeter of the imaged page (fig. 4).

Regarding claim 20, Yoda discloses the imaging system of claim 16, further comprising a speaker in communication with the controller, wherein the controller is configured to generate an audio signal at the speaker when an error is detected (bell 18, col. 6 lines 6-22).

Regarding claims 21, 49 and 61, Yoda discloses the imaging system of claim 16, wherein the controller is configured to determine the page numbers based also on a location of a pointer positioned on a page of the bound document (fig. 4, col. 4 lines 32-35).

Regarding claims 46 and 58, Yoda discloses the method of claim 44, further comprising the step of tracking, by the controller, the sequence of the page numbers of the images captured by the camera (col. 6 lines 6-23).

Regarding claims 47, 60 and 68, Yoda discloses the method of claim 46, further comprising the steps of:

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detecting an error when the controller fails to detect page numbers on a predetermined consecutive pages of the document; and

generating an audio signal at a speaker (bell 18) when an error is detected (col. 6 lines 6-23).

Regarding claims 48 and 69, Yoda discloses the method of claim 46, further comprising the steps of:

detecting an error based on the sequence of the page numbers; and

generating an audio signal through a speaker (bell 18) when an error is detected (col. 6 lines 6-23).

Regarding claims 51 and 63, Yoda discloses the method of claim 49, wherein the OCR processing is performed only on data corresponding to a region of each imaged page, the region being substantially less than the entire imaged page, the region being determined based on the location of the pointer (fig. 4, col. 4 lines 32-35).

Regarding claim 66 Yoda discloses a method for imaging a bound document having multiple pages, comprising:

performing optical character recognition (OCR) processing by an OCR engine only on data corresponding to at least a portion of a border region of each imaged page, the image data being received from the camera (fig. 4);

determining, by a controller, page numbers on the pages being imaged based at least in part on the data received from the OCR engine (col. 3 lines 1-31); and

detecting an error based on the page numbers (col. 4 lines 1-35),

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wherein the border region is selected from the group consisting of a border region around an entire perimeter of the imaged page and a border region around a portion of the perimeter of the imaged page (fig. 4).

Regarding claim 67 Yoda discloses the method of claim 66, further comprising tracking, by the controller, tile sequence of the page numbers of the images captured by the camera (col. 3 lines 22-31).

Regarding claim 70 Yoda discloses the method of claim 66, Wherein determining the page numbers is based also on a location of a pointer positioned on a page of the bound document (fig. 4).

Regarding claim 72 Yoda discloses the method of claim 70, wherein the OCR processing is performed only on data corresponding to a region of each imaged page, the region being substantially less than the entire imaged page, the region being determined based on the location of the pointer (fig. 4).

Allowable Subject Matter

3. Claims 22-25, 50, 52, 53, 62, 64, 65, 71, 73 and 74 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Fri. from 6:00am to 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Houshang Safaipour/
Primary Examiner, Art Unit 2625